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KUNAL DEWANGAN

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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9330 of 2026

Pradeep Tamrakar S/o Shyam Sundar Tamrakar Aged About 20 Years R/o Village Naila Bhatapara, Ward No. 2, Chauki Naila, Police Station City Kotwali Janjgir, District Janjgir Champa (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through The Station House Officer, Police Station - Janjgir, District - Janjgir Champa (C.G.)

... Non-Applicant(s)

For Applicant	:	Mr. Vivekanand SAmaddar, Advocate.
For Non-Applicant/State	:	Ms. Laxmin Kashyap, Panel Lawyer

Hon'ble Mr. Rakesh Mohan Pandey, Judge

Order on Board

12/10/2026

1. The applicant has preferred this second bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for grant of regular bail in connection with Crime No. 52/2026 registered at Police Station Janjgir, District Janjgir-Champa (C.G.), for the offences punishable under Sections 64(2)(m) and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Earlier, the first bail application of the applicant was rejected on

merits by a Coordinate Bench of this Court in MCRC No. 5177 of 2026, vide order dated 14.07.2026. Hence, this second bail application.

3. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the present case. He would further submit that the first bail application of the applicant was rejected by a Co-ordinate Bench of this Court on merits and the new ground for filing of the second bail application is that the medical evidence does not corroborate the allegation of forcible sexual intercourse, as the doctor could not give any definite opinion regarding the alleged act. It is also submitted that the alleged occurrence at Mahadev Lodge is not corroborated by the lodge records and PW-3 Navin Gupta has not stated that the victim stayed there with the applicant. He would further submit that a material statement of the victim, allegedly recorded during her hospitalisation, was not supplied despite a request under the Right to Information Act. The applicant has been in custody since 15.01.2026 and, therefore, he prays for grant of bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that the first bail application of the applicant has already been rejected on merits by a Co-ordinate Bench of this Court. She would further submit that the victim has been examined before the learned trial Court and has supported the prosecution case. The allegations against the applicant are serious in nature and the grounds now urged, including the alleged non-

supply of a statement sought under the Right to Information Act, do not constitute any substantial change in circumstances warranting reconsideration of the prayer for bail. Therefore, the applicant is not entitled to be released on bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Having considered the submissions advanced by learned counsel for the parties, nature and gravity of the allegations and the material available on record, it is evident that the first bail application of the applicant was rejected on merits by a Coordinate Bench of this Court vide order dated 14.07.2026. The grounds now raised by learned counsel for the applicant, including the submissions regarding medical evidence, lodge records and non-supply of the statement allegedly sought under the Right to Information Act, do not disclose any substantial change in circumstances warranting reconsideration of the prayer for bail. Further, the victim and her mother have already been examined before the learned trial Court and have supported the prosecution case. In the absence of any material change in circumstances since rejection of the earlier bail application, this Court finds no sufficient ground to take a different view.

7. Accordingly, the second bail application of the applicant, filed under Section 483 of the BNSS, involved in Crime No. 52/2026 registered at Police Station Janjgir, District Janjgir-Champa (C.G.), for the offences punishable under Sections 64(2)(m) and 351(3) of the

Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012. is hereby **rejected**.

Sd/-
(Rakesh Mohan Pandey)
Judge

Kunal